

**1344. Misbranding of Heberlings Mineral Mixture with Yeast. U. S. v. 10 Bags of Heberlings Mineral Mixture with Yeast. Default decree of condemnation and destruction. (F. D. C. No. 12457. Sample No. 72147-F.)**

On or about June 5, 1944, the United States attorney for the Eastern District of Missouri filed a libel against 10 100-pound bags of the above-named product at Oran, Mo., alleging that the article had been shipped on or about April 5, 1944, from Bloomington, Ill., by the G. C. Heberling Co.

The bag label of the article bore the following statement of composition: "Ingredients: \* \* \* Limestone, Special Steamed Bone Meal, Soft Rock Phosphate, Salt, Soda Bicarbonate, Ferric Oxide, Ferrous Sulfate (Copperas), Copper Sulfate, Manganese Sulfate, Potassium Iodide (Stabilized), Irradiated Yeast (For Vitamin D), Oil of Anise, Cobalt Sulfate, Zinc Sulfate, Dry Yeast, Vegetable Oil."

The article was alleged to be misbranded because of false and misleading statements on the shipping tag and in the leaflet entitled "Livestock and Poultry Manual," enclosed in the bag containing the article, regarding its efficacy in increasing pork, beef, and egg production, saving feed, cutting losses due to various disease conditions, maintaining health of the animals, and acting together with niacin as a preventive of the specific infectious disease condition of pigs known as necro, as well as scours in calves.

On July 19, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1345. Adulteration and misbranding of Muco Spray. U. S. v. 125 Containers of Muco Spray. Default decree of condemnation. Product ordered disposed of by the United States marshal. (F. D. C. No. 12209. Sample No. 40240-F.)**

On April 22, 1944, the United States attorney for the District of South Dakota filed a libel against 13 12-ounce bottles, 36 36-ounce bottles, 48 ½-gallon containers, and 28 1-gallon bottles or jugs of Muco Spray, at Sioux Falls, S. Dak., alleging that the article had been shipped on or about January 5, 1944, by the Iowa Master Breeders, Inc., from Sioux City, Iowa; and charging that it was adulterated and misbranded.

Analysis showed that the article was a liquid containing alcohol, formaldehyde, eucalyptol, menthol, turpentine, creosote, and a green coal-tar dye.

The article was alleged to be adulterated in that it contained, for purposes of coloring only, a green coal-tar color that had not been listed for use in drugs in accordance with the regulations, and was other than one from a batch that had been certified.

It was alleged to be misbranded in that the statements on its label, "For Relief of Coughs, Colds and Bronchitis in Poultry \* \* \* In extreme cases \* \* \* This vapor is very penetrating and effective," were false and misleading since the article, when used as directed, would not be effective for the relief of such disease conditions in poultry; it would not be effective in extreme cases; and it would not be an effective, penetrating spray in the prevention or treatment of the disease conditions for which it was recommended.

On May 22, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered disposed of by the United States marshal. It was destroyed.

**1346. Misbranding of Criticoce Mash. U. S. v. 30 Bags of Criticoce Mash and a quantity of Leaflets. Default decree of condemnation. Product ordered delivered to an institution; leaflets ordered destroyed. (F. D. C. No. 12304. Sample No. 77861-F.)**

On May 2, 1944, the United States attorney for the Eastern District of Pennsylvania filed a libel against 30 100-pound bags of the above-named product and a quantity of leaflets entitled "Criticoce Mash A Scientific Aid in the Control of Coccidiosis in Poultry," at Lansdale, Pa., alleging that the article had been shipped on or about March 31, 1944, by Schultz, Baujan & Co., from Beardstown, Ill.; and charging that it was misbranded.

The labeling of the article indicated that it consisted of a mixture of common feedstuffs with added vitamins A and D and calcium carbonate.

The article was alleged to be misbranded because of false and misleading statements on its label and in the accompanying leaflets which represented and suggested that the article was effective in the prevention or destruction of the parasite that causes coccidiosis in poultry.

On June 2, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution

after destruction of the leaflets and obliteration of the reference to coccidiosis appearing on the label.

1347. **Misbranding of Apco Apcolene, and Apco Brooder and Litter Spray.** U. S. v. 11 Bottles and 13 Bottles of Apco Apcolene, 5 Bottles of Apco Brooder and Litter Spray, and a number of leaflets. Default decree of condemnation and destruction. (F. D. C. No. 12915. Sample Nos. 40527-F to 40529-F, incl.)

On July 13, 1944, the United States attorney for the Northern District of Iowa filed a libel against 11 1-quart bottles and 13 8-ounce bottles of Apco Apcolene, 5 1-quart bottles of Apco Brooder and Litter Spray, 58 leaflets entitled "Fight Coccidiosis," and 55 leaflets entitled "Mycosis Fungi," at Waterloo, Iowa, alleging that the articles of drugs had been shipped on or about April 10, 1944, by the American Products Co., Inc., from Kansas City, Kans., and that, when introduced into and while in interstate commerce, they were accompanied by the leaflets.

Examination disclosed that the Apco Apcolene consisted essentially of copper, iron, manganese, and magnesium sulfates, and propylene glycol, colored with FDC Red No. 2; and that the Apco Brooder and Litter Spray consisted essentially of coal-tar hydrocarbons, pine oil, and 0.23 percent of phenolic compounds.

The articles were alleged to be misbranded because of false and misleading statements and designs in the accompanying leaflets regarding the efficacy of the products in the treatment of coccidiosis, blackhead, and fungus diseases of poultry.

On August 1, 1944, no claimant having appeared, judgment of condemnation was entered and the products, together with the leaflets, were ordered destroyed.

1348. **Misbranding of Sep-Tone.** U. S. v. 12 Pint Bottles, 9 Quart Bottles, 3 Half-Gallon Bottles, and 2 Gallon Jugs of Sep-Tone. Default decree of condemnation and destruction. (F. D. C. No. 13027. Sample No. 72064-F.)

On July 24, 1944, the United States attorney for the Southern District of Illinois filed a libel against the above-mentioned quantities of Sep-Tone at Madison, Ill., alleging that the article had been shipped on or about June 24, 1944, by the Dolan Laboratories, from St. Louis, Mo.

Examination showed that the article consisted essentially of water, with small amounts of potassium dichromate, sodium, zinc, and copper sulfocarbonate, ammonium chloride, and an iodide.

The article was alleged to be misbranded in that the statements in its labeling, "Sep-Tone, A High Grade Astringent Intestinal Antiseptic For Medicating The Drinking Water. \* \* \* Its use is indicated in the treatment of enteritis, Cholera, Typhoid, Colds, coccidiosis, Bronchitis and other bacterial infections. \* \* \* Many poultrymen find that it pays to feed it continually for its antiseptic properties. \* \* \* For Fowls out of condition use 2 table-spoonfuls to each gallon of water until improvement is noted," were false and misleading since the article had no value in the treatment of septic conditions; it was not a tonic nor an antiseptic; and it was of no value in the prevention or treatment of any disease condition of poultry.

On August 23, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1349. **Misbranding of Erosionex.** U. S. v. 54 Bags of Erosionex. Default decree of condemnation and destruction. (F. D. C. No. 12511. Sample No. 76937-F.)

On June 8, 1944, the United States attorney for the District of New Jersey filed a libel against 54 bags, each containing 25 pounds, of Erosionex at Newark, N. J., alleging that the article had been shipped on or about January 5, 1944, from Binghamton, N. Y., by the Daily Mills, Inc.

The label on the article indicated that it consisted of a mixture of common feedstuffs with added vitamin A and D feeding oils, extract nux vomica, oleoresin capsicum, zinc phenolsulfonate, red dog, sodium phenolsulfonate, calcium carbonate, kamala, copper sulfate, salt, calcined phosphate rock, and manganese sulfate.

The article was alleged to be misbranded because of false and misleading statements and designs on the bag label and in the accompanying circular entitled, "Double DD Diamond Ready-Mixed Erosion Ex For All Poultry," regarding its efficacy in preventing and curing mold and other infections in poultry.